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SUBJECT: GUATEMALA'S CHILD LABOR UPDATE

REF: A. 06 STATE 184972
[1](#)B. 05 GUATEMALA 2014

[1](#)1. Post submits the following update to 2005 information (ref B) on child labor. Delay in submission was due to unavailability of official government statistics on child labor until April 26. Responses are keyed to Ref A.

[1](#)A. Laws and regulations proscribing the worst forms of child labor

Two Executive Orders concerning child labor were signed by the president in 2006:

- Executive Order 112-2006, Labor Protection of Child and Adolescent Workers, which outlines the rules, based on the Labor Code, governing the employment of child and adolescent workers, including a requirement that employers guarantee them the right to not be the object of any form of negligence, discrimination, exploitation, violence, cruelty, or oppression, and protection from all forms of maltreatment; and
- Executive Order 250-2006, Application of ILO Convention 182 regarding the Worst Forms of Child Labor and Immediate Action for its Elimination, which defines the scope of application and lists the worst forms of child labor.

The Labor Inspectorate issued 2,689 work permits to adolescents aged 14-17 in 2006. Of the 2,689 permits, 1,864 were issued to teenage boys, while 825 were issued to teenage girls. All were provided information on their labor rights. Additionally, 1,733 secondary school students were educated on their labor rights and obligations.

[1](#)B. Regulations for implementation and enforcement of proscriptions against the worst forms of child labor

The Child Workers Protection Unit of the Ministry of Law (MOL) has responsibility for implementing and enforcing child labor laws; however, like most Guatemalan government entities, the Unit lacks resources to effectively carry out its mandate. The extent to which complaints are investigated and violations addressed is limited due to Guatemala's weak labor inspection and labor court systems. Guatemala has less than 300 labor inspectors and less than 30 labor courts nationwide. In 2006, the Labor Inspectorate handled 4 cases involving children under the age of 14 and 247 cases involving adolescents aged 14 to 17.

The 2006 budget for the Child Workers Protection Unit was Q329,740 (approx. USD 43,400). The government allocated Q50,000 (approx. USD 6,600), which was supplemented with donations from Save the Children-Norway (Q60,000) and UNICEF (Q219,740).

The Ministry of Labor has provided awareness raising and training activities for officials responsible for enforcing child labor laws.

In addition, in 2006, the Child Workers Protection Unit provided information on labor rights to 2,689 adolescents who requested work permits, and 1,733 secondary school students.

1C. Social programs to prevent and withdraw children from the worst forms of child labor

In 2006, a total of 8,524 educational scholarships, totaling Q2,557,200 (approx. USD 336,500), were awarded to school-aged children in the department of Guatemala.

In addition, the Child Workers Protection Unit undertook various preventive and protective efforts, including:

- conducted 23 visits to pyrotechnic manufacturing plants, in coordination with the MOL Directorate of Capacity and Education, to promote certification of pyrotechnic specialists and to inspect work conditions;
- implemented a pilot program of vocational training for 28 adolescent workers;
- implemented a plan of action to prevent child labor in indigenous populations in the municipality of Santa Cruz Comitancillo in the department of San Marcos;
- created a UNICEF-funded program of assistance to adolescent workers, including development of workshops to train labor inspectors on detection of child and adolescent labor;
- coordinated with the Executive Secretariats for the Eradication of Child Labor in the departments of Huehuetenango, El Quiche, and San Marcos; and
- worked with other government agencies to draft a work plan to address the problem of children working in the waste industry, particularly in the Guatemala City dump.

1D. Comprehensive policy aimed at the elimination of the worst forms of child labor

The inter-institutional National Commission for the Prevention and Eradication of Child Labor and Protection for the Adolescent Worker is responsible for overseeing implementation of the national plan of action on child labor. The plan was originally a five-year (2001 - 2004) plan but has been extended. The GOG has made a public commitment to eradicate the worst forms of child labor and is taking action to achieve its goals. The Human Rights Ombudsman's Office, with the support of the National Commission, plans to develop a monitoring system to track progress on the national plan in each municipality.

1E. Progress toward eliminating the worst forms of child labor

Guatemala is making slow but continual progress toward eliminating the worst forms of child labor. The problem is linked to the country's widespread and pervasive poverty, especially in the rural areas. According to the most recent estimates of the Center for National Economic Investigation, based on a 2004 survey conducted by the National Institute of Statistics, 75.4 percent of Guatemala's workforce is employed in the informal sector.

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